

ENTERED

June 18, 2025

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AUDREY K. MILLER

VS

SAM HOUSTON STATE UNIVERSITY
et al.§
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§
§
§
§

CIVIL ACTION NO. 4:15-2824

TIMING ORDER

The Court has considered the parties' estimated time for the trial in this case that will take place beginning on June 20, 2025. While the parties estimated in their March 7, 2025 Joint Pretrial Order (Doc. No. 258) a five day trial, upon review that week estimate is somewhat optimistic. Moreover, it is sandwiched between two federal holidays that may complicate the schedule. The number of exhibits and the number of depositions also seems to undermine the accuracy of this estimate — although counsel for Plaintiff made helpful deletions in today's hearing. Considering that there will be less than 5 days of testimony available to the parties, the parties would need to average over 7 hours of testimony each day. This Order is entered to facilitate the orderly progress of the case.

Based on the Court's evaluation of the case and the estimates provided by the parties, it hereby **ORDERS** that the Plaintiff will be allocated a maximum time of 18 hours for all testimony and testimony related matters. The Defendant will be allowed 16 hours for the same. These allotments exclude voir dire, opening statements, closing arguments, jury charge conference, summation and the reading of the preliminary instructions and jury charge.

As noted, even these time allocations will require 8-plus hours of testimony each full day. To help facilitate these time restrictions, the Court further **ORDERS**:

- Absent unusual circumstances, each party is limited to one (1) re-direct or re-cross per witness;
- The Court will start testimony at 8:30 a.m. each morning and will stay in session until at least 5:30 - 6:00 p.m. each day;
- Counsel will be required to be present at least 30 minutes before testimony starts;
- The Court will conduct the preliminary voir dire for the jury panel. Both sides will then be given 20 minutes for voir dire.
- All charge conferences and other conferences that normally accompany trials such as this will be held outside the hours described for testimony;
- Short, concise, and non-frivolous objections and concise responses thereto will not be assessed against the parties' time allocated for testimony, but lengthy objections and bench conferences and frivolous objections or borderline conduct will be deducted from the time of the party who initiated the same. The Court will decide who the initiating party is;
- A particular witness shall only be called once, regardless of which party puts that witness on the stand. For example, the Court will not allow deposition testimony of a witness who is testifying or has testified on the stand, except for impeachment purposes;
- Each side must disclose to the other side the night before each witness it plans to call the following day and the order in which it plans to call them;
- Plaintiff and Defendant will be given 20 minutes each to make opening statements. Both sides will be given 45 minutes for closing arguments.
- The Plaintiff and Defendant are hereby allotted six peremptory strikes.

SIGNED on this 18th day of June 2025.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', is written over a horizontal line.

ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE